



**QUALCOMM INCORPORATED**  
**5775 MOREHOUSE DR.**  
**SAN DIEGO CA 92121**

**MAILED**

**NOV 24 2009**

In re Application of	:	OFFICE OF PETITIONS
Mazen CHMAYTELLI et al.	:	
Application No. 09/825,588	:	DECISION ON PETITION
Filed: April 03, 2001	:	
Attorney Docket No. 010042	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 02, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, January 30, 2009, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on May 01, 2009.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment; (2) the petition fee of \$1,620.00; and (3) a proper statement of unintentional delay. Accordingly, the reply to the non-final Office action of January 30, 2009 is accepted as having been unintentionally delayed.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the \$1,110.00 extension of time fee submitted with the petition on October 02, 2009 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4231.

The application file is being referred to Technology Center AU 2617 for appropriate action on the concurrently filed amendment.

A handwritten signature in black ink, appearing to read "Michelle R. Eason". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michelle R. Eason  
Paralegal Specialist  
Office of Petitions